

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 3523-01  
Bill No.: HB 1281  
Subject: Elementary and Secondary Education Dept; Teachers  
Type: Original  
Date: April 4, 2002

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**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON STATE FUNDS</b>			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
General Revenue	LESS THAN \$100,000	LESS THAN \$100,000	LESS THAN \$100,000
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>LESS THAN \$100,000</b>	<b>LESS THAN \$100,000</b>	<b>LESS THAN \$100,000</b>

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
<b>School Districts</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 3 pages.

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Office of State Courts Administrator, Department of Corrections, and Office of State Public Defender** indicated this proposed legislation would have no fiscal impact on their agencies.

Officials from the **Office of Prosecution Services** stated there would be no cost to prosecutors.

**Department of Elementary and Secondary Education (DESE)** officials assume there would be some cost savings by allowing notice of an automatic revocation to be sent by first class mail instead of via certified mail or personal service when an individual certified to teach has committed one of 37 crimes that require automatic revocation of their license to teach.

Additionally, the bill allows for informal resolution of cases or other matters involving certificate holders by consent agreement, agreed settlement, or voluntary surrender of the certificate of license to teach. It is anticipated that costs associated with hearings will be reduced by some amount through the reduction in the number of hearings that occur during the course of a year.

DESE officials assume the total savings would be less than \$100,000 annually.

DESE officials assume the proposal would result in no fiscal impact to local public school districts.

<u>FISCAL IMPACT - State Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
<b>GENERAL REVENUE</b>			
<u>Savings - Department of Elementary and Secondary Education</u>			
Postage and Hearings	LESS THAN \$100,000	LESS THAN \$100,000	LESS THAN \$100,000
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>	<b><u>LESS THAN</u> <u>\$100,000</u></b>	<b><u>LESS THAN</u> <u>\$100,000</u></b>	<b><u>LESS THAN</u> <u>\$100,000</u></b>
<u>FISCAL IMPACT - Local Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
<b>SCHOOL DISTRICTS</b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>

### FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

### DESCRIPTION

This proposed legislation changes the process by which teachers' certificates of license may be revoked. The proposal :

- (1) Adds a requirement for notice by first class mail to the last known address of the teacher;
- (2) Changes the provisions relating to appeal of a revocation so that notice of intent to appeal must be filed within 30 days of notice of revocation;
- (3) Clarifies that when charges are filed by or at the request of a local board of education, they must be signed by that district's chief administrative officer or board president; and
- (4) Permits contested cases and other matters to be resolved informally through consent agreement, settlement, or surrender of license.

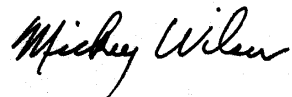
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

### SOURCES OF INFORMATION

Department of Elementary and Secondary Education  
Office of State Courts Administrator  
Department of Corrections  
Office of State Public Defender  
Office of Prosecution Services

### **Not responding**

Office of Attorney General



Mickey Wilson, CPA  
Acting Director  
February 4, 2002